

JAN 27 2005 4:31PM

BSKB COM

NO. 5460 P. 1/12

650 Town Center Drive, Suite 620  
Costa Mesa, CA 92626-1925  
Phone: (714) 708-8555  
Fax: (714) 708-8565

**Birch, Stewart,  
Kolasch & Birch, LLP**

**Fax**

**RECEIVED  
CENTRAL FAX CENTER**

**JAN 27 2005**

<b>To:</b>	Examiner Frank W.M. Lu	<b>From:</b>	Leonard R. Svensson
<b>Fax:</b>	(703) 872-9306	<b>Pages:</b>	12 including cover sheet
<b>Phone:</b>		<b>Date:</b>	January 27, 2005
<b>Your Ref.:</b>	Application No. 09/555,971	<b>Our Ref.:</b>	0147-0201P
<b>Re:</b>	Reply Under 37 CFR § 1.116	<b>CC:</b>	

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (714) 708-8555, and send the original transmission to us by return mail at the address above.

• **Comments:**

**RECEIVED  
CENTRAL FAX CENTER**

JAN 27 2005

**MS AF  
REPLY UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1634**

**PATENT  
0147-0201P**

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

Applicant: Gut, I. et al. Conf.: 8231  
Appl. No.: 09/555,971 Group: 1634  
Filed: November 14, 2000 Examiner: LU, FRANK W.M.  
For: METHOD FOR THE IDENTIFICATION OF NUCLEIC ACID  
BY MEANS OF ELECTROSPRAY MASS SPECTROMETRY

**SMALL ENTITY TRANSMITTAL FORM  
FOR REPLY AFTER FINAL UNDER 37 C.F.R. § 1.116**

**MS AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 27, 2005

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☒ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	32	-	36	=	0	\$25	\$0.00
INDEPENDENT	3	-	3	=	0	\$100	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$180	\$0.00
						<b>TOTAL</b>	<b>\$0.00</b>

Appl. No. 09/555,971

- ☐ Petition for ( ) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ Check(s) in the amount of \$0.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

**Certificate of Transmittal**  
I hereby Certify that this correspondence is being  
facsimile transmitted to the Patent and  
Trademark Office:  
On January 27, 2005  
Sandra B. Paul  
Signature  
SANDRA B. PAUL  
Typed or printed name of person signing certificate

Respectfully submitted,

BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

By [Signature]  
Leonard R. Svensson, #30,330

LRS/sbp  
0147-0201P

Attachment(s)

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

JAN. 27. 2005 4:32PM

BSKB COM

NO. 5460 P. 4/12

**RECEIVED  
CENTRAL FAX CENTER**

JAN 27 2005

**MS AF  
REPLY UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1634**

**PATENT  
0147-0201P**

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

Applicant:	Gut, I. et al.	Conf.:	8231
Appl. No.:	09/555,971	Group:	1634
Filed:	November 14, 2000	Examiner:	Lu, Frank Wei Min
For:	METHOD FOR THE IDENTIFICATION OF NUCLEIC ACID BY MEANS OF ELECTROSPRAY MASS SPECTROMETRY		

**RESPONSE TO FINAL OFFICE ACTION**

**MSAF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 27, 2005

Sir:

In reply to the Final Office Action dated October 27, 2004, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

This response contains Amendments to the Claims and Remarks.